

Remarks/Arguments:

Claims 1-14 are pending.

Claims 1-6 and 12-14 are rejected.

Claims 7-11 are objected to.

By this Amendment, claims 1-14 are amended and new claims 15 and 16 are added. Support for the claim amendments and new claims can be found throughout the original specification and, for example, in the original specification at page 4, second and third full paragraphs and page 7, last full paragraph.

Claim Objections

In the Office Action, at page 2, claims 7-11 are objected as being in improper multi-dependent form.

Claims 7 and 8 have been amended to remove their multiple dependency and to overcome the objection regarding claims 7-11.

In the Office Action, at page 2, claims 1-4 are objected to because of informalities therein.

Claims 1 and 4 have been amended to overcome the Examiner's concern regarding the spelling of the word "synchronised." The spelling of synchronised is a recognized British variation of the word synchronized. Applicant's have amended "synchronised" to --synchronized-- to expedite prosecution.

Reconsideration is respectfully requested.

Rejection of Claims 12-14 under 35 U.S.C. §101

In the Office Action, at item 1, claims 12-14 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Claim 12 has been amended to recite "a computer program product comprising program code stored on a computer readable storage medium for execution of a method ..." Thus, claim 12 includes program codes stored on a computer readable medium (i.e., associated with a computer readable medium), and is submitted to be statutory subject matter.

Claims 13 and 14, which include all of the limitations of claim 12, is submitted to be free of the rejection under 35 U.S.C. §101, for at least the same reasons as those of claim 12.

Reconsideration is respectfully requested.

Rejection of Claims 1-4 and 12 under 35 U.S.C. §102(b)

In the Office Action, at item 3, claims 1-4 and 12 are rejected under 35 U.S.C. §102(b) as anticipated by Kallio (US Patent Publication 2002/0147008).

This ground of rejection is respectfully traversed.

Claim 1

Claim 1 is directed to a method of operating a mobile communication node which has at least a first network interface and a different second network interface for providing connectivity with first and second different communication networks respectively, and which is receiving data from a remote corresponding node via the first communication network, and recites: "an initiation of the sleep mode is synchronized with a cessation of a receipt of data packets via the first communication network."

That is, the sleep mode is synchronized with a cessation of receipt of data packets via the first communication network.

Kallio Reference

Kallio discloses a Mobile Station (MS) 150 in the form of a dual mode (or multi-mode) mobile is utilized to operate in two or more different radio technologies, for example, GSM technologies and other hot spot radio technologies such as a wireless LAN. (See Kallio at paragraph [0024].) Kallio further discloses that when the Mobile Station (MS) 150 is in the wireless LAN 200, the WLAN rx-level (transmission level) may be compared to two threshold values. If the WLAN rx-level is higher than a upper threshold value, the Mobile Station (MS) 150 may switch off the GSM side to save battery. If the WLAN rx-level drops between the two threshold values, the Mobile Station (MS) 150 may start measurement of the GSM cells again. (See Kallio at paragraph [0048].) Thus, Kallio teaches that the initiation of switching off of the GSM side of the mobile station (MS) 150 is responsive to a condition (that the WLAN rx-level is above an upper threshold value). Kallio, however, is silent regarding "an initiation of the sleep mode is synchronized with a cessation of a receipt of data package via the first communication network," as required by claim 1. For example, contrary to the recitation in claim 1, in the Mobile Station (MS) 150 of Kallio, the GSM side is switched off, and does not enter a sleep mode. Moreover, in Kallio this switched off mode is entered without regard to a cessation of receipt of data packets. Instead Kallio, teaches that the switching off of the GSM side of the Mobile Station (MS) is based on signal strength of a second transmission signal (i.e., from the WLAN 200 side).

Accordingly, it is submitted that claim 1 patentably distinguishes over Kallio for at least the above-mentioned reasons.

Claim 12, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over Kallio for at least similar reasons to those of claim 1.

Claims 2-4, which include all of the limitations of claim 1, are submitted to patentably distinguish over Kallio for at least the same reasons as those of claim 1.

Rejection of Claim 5 under 35 U.S.C. §103(a)

In the Office Action, at page 5, claim 5 is rejected under 35 U.S.C. §103(a) as unpatentable over Kallio.

This ground of rejection is respectfully traversed.

Claim 5, which includes all of the limitations of claim 1, is submitted to patentably distinguish over Kallio for at least the same reasons as those of claim 1.

Reconsideration is respectfully requested.

Rejection of Claims 6, 13 and 14 under 35 U.S.C. §103(a)

In the Office Action, at page 6, claims 6, 13 and 14 are rejected under 35 U.S.C. §103(a) as unpatentable over Kallio in view of Davis et al. (US Patent No. 6,105,064, hereafter referred to as Davis).

This ground of rejection is respectfully traversed.

Claims 6, 13 and 14, which include all of the limitations of claim 1 or claim 12, are submitted to patentably distinguish over Kallio for at least the same reasons as their respective independent claims.

The addition of Davis does not overcome the deficiencies of Kallio. This is because, Davis does not disclose or suggest that "an initiation of a sleep mode is synchronized with a cessation of the receipt of data packets via the first communication network," as required by claim 1 and similarly by claim 12.

Davis, which is used by the Examiner to teach the marking of data packets is silent regarding, for example, a sleep mode and, more particularly, that such a sleep mode "is synchronized with a cessation of a receipt of data packets via the first communication network," as required by claim 1 and similarly by claim 12.

Accordingly, it is submitted that claims 6, 13 and 14 patentably distinguish over Kallio in view of Davis for at least the above-mentioned reasons.

New Claims 15 and 16

New claims 15 and 16, which include all of the limitations of claim 1, are submitted to patentably distinguish over the cited art for at least the same reasons as claim 1.

New claim 15 includes patentable distinctions beyond those of claim 1, namely: "the initiation of the sleep mode includes maintaining a network address of the mobile communication node on the first communication network."

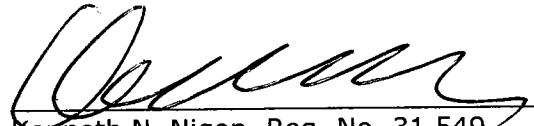
New claim 16 also includes patentable distinctions beyond those of claim 1, namely: "the initiation of the sleep mode is in response to a marker in the received data stream indicating that the received data stream via the first communication network has come to an end."

Consideration and approval of these new claims is respectfully requested.

Conclusion

In view of the claim amendments and new claims, Applicant respectfully submits the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth N. Nigon", is written over a horizontal line.

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